

Chapter 16.32**FIRE PREVENTION****Sections:**

16.32.010	Reference to Fire Code.
16.32.020	International Fire Code adopted--Filed with City Clerk.
16.32.040	Section 103.4 amended--Liability.
16.32.045	Section 108 amended--Board of Appeals.
16.32.046	Section 104.6 amended--Inspection required.
16.32.047	Section 105 amended--Permit required.
16.32.065	Section 508.5.1 amended--Water supply for fire protection.
16.32.076	Section 903 Amended--Automatic sprinkler systems.
16.32.095	Section 3301 amended--Prohibited and limited acts.
16.32.100	Section 3308.2 amended--Prohibition.
16.32.140	Appendix Chapter 1 of the California Fire Code--Christmas Trees.
16.32.175	Hazardous materials clean up cost recovery.

Section 16.32.010 Reference to Fire Code.

This chapter shall be known as the "Fire Code" and may be cited as such. Whenever in this code or any ordinance of the City the phrases "California Fire Code" or "Fire Code" appear, such phrases shall be deemed and construed to refer to or apply to this chapter. The addition of the word "standards" to such phrases shall limit the reference and application of such phrases to the "California Fire Code Standards." (Ord. 6964 § 2, 2007; Ord. 5259 § 36, 1985; Ord. 4147 § 1 (part), 1974)

Section 16.32.020 International Fire Code adopted--Filed with City Clerk.

The 2006 International Fire Code as amended by the California State Fire Marshal, also known as the 2007 California Fire Code ("this Code"), including Appendices 1, 4, A, B, C, D, E, F, G, and H, also adopting the 2007 Accumulative Supplement to the 2006 International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, which prescribes regulations consistent with nationally recognized good practice for the safeguarding, to a reasonable degree, of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life or property in the use or occupancy of buildings or premises, is adopted and by this reference is made a part of this Code with the force and effect as though set out herein in full, with the exception of the parts expressly excepted and deleted or as amended by this Chapter. One copy of this Code has been certified as a true copy, is on file and open to public inspection in the office of the City Clerk. (Ord. 6964 § 3, 2007; Ord. 6633 § 1, 2002; Ord. 6473 § 2, 1999; Ord. 6262 § 1, 1996; Ord. 6031 § 1, 1993; Ord. 5803 § 1, 1990; Ord. 5551 § 1, 1987; Ord. 5259 § 37, 1985; Ord. 4854 § 1, 1980; Ord. 4589 § 1 (part), 1978; Ord. 4192 § 5 (part), 1975; Ord. 4147 § 1 (part), 1974)

Section 16.32.040 Section 103.4 amended--Liability.

Section 103.4 of the California Fire Code relating to liability for damages is amended to read as follows:

This Code shall not be construed to hold the public entity or any officer or employee responsible for any damage to persons or property by reason of the inspection or reinspections authorized herein provided or by reason of the approval or disapproval of any equipment or process authorized herein, or for any action in connection with the control or extinguishment of any fire or in connection with any other official duties.

The expense of securing any emergency which is the result of a violation of this code is a charge against the person whose violation of this code caused the emergency. Damages caused by and expenses incurred by the Fire Department for securing such emergency shall constitute a debt of such person and is collectible by the Chief in the same manner as in the case of an obligation under a contract, expressed or implied. (Ord. 6964 § 5, 2007; Ord. 6262 § 3, 1996; Ord. 6031 § 3, 1993; Ord. 4854 § 3, 1980; Ord. 4589 § 1 (part), 1978; Ord. 4147 § 1 (part), 1974)

Section 16.32.045 Section 108 amended--Board of Appeals.

Section 108 of the California Fire Code is amended to read as follows:

Section 108. In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretation of the provisions of this code, there shall be and hereby is created a Board of Appeals, which shall be the Planning Commission of the City of Riverside. (Ord. 6964 § 6, 2007; Ord. 6462 § 15, 1999; Ord. 6262 § 4, 1996; Ord. 6031 § 4, 1993; Ord. 5803 § 3, 1990; Ord. 4854 § 4, 1980)

Section 16.32.046 Section 104.6 amended--Inspection required.

Section 104.6 of the California Fire Code is amended to read as follows:

Inspection Required. If deemed necessary, before a permit is issued, the Chief shall inspect and approve the receptacles, vehicles, building, devices premises, storage spaces or areas to be used, in instances where laws or regulations are enforceable by departments other than the fire department, joint approval shall be obtained from all departments concerned. (Ord. 6964 § 7, 2007; Ord. 6262 § 5, 1996)

Section 16.32.047 Section 105 amended--Permit required.

Section 108 of the California Fire Code is hereby amended to read as follows:

A permit shall be obtained from the Bureau of Fire Prevention prior to engaging in the following activities, operations, practices or functions:

- 105.6.4. Carnivals and fairs.
- 105.6.14. Explosives or blasting agents and fireworks.
- 105.6.22. High Piled Storage.
- 105.6.26. Liquid or gas fueled vehicles or equipment in assembly buildings.
- 105.6.30. Open burning.
- 105.6.32. Candles and open flames in assembly areas.
- P105.6.43. Tents, canopies and temporary membrane structures.
- P105.6.47. Pyrotechnical special effects material. (Ord. 6964 § 8, 2007; Ord. 6633 § 2, 2002; Ord. 6473 § 3, 1999; Ord. 6262 § 6, 1996)

Section 16.32.065 Section 508.5.1 amended--Water supply for fire protection.

Section 508.5.1 of the California Fire Code is hereby amended to read as follows:

REQUIRED WATER SUPPLY FOR FIRE PROTECTION. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which buildings or portions of buildings are hereafter constructed. When any portion of the building protected is in excess of 350 feet from a water supply on a public street, as measured by an approved route around the exterior of the building, there shall be provided, on-site fire hydrants and mains capable of supplying the required fire flow. Any such required fire hydrants shall be spaced per Appendix C.

EXCEPTION: Single family residences equipped with a residential fire sprinkler system as outlined in Section 903 shall have a fire hydrant spacing requirement of 500 feet. Fire hydrants on dead end streets or roads shall not exceed 400 feet from the end of the street or road. (Ord. 6964 § 9, 2007; Ord. 6473 § 3, 1999; Ord. 6262 § 8, 1996; Ord. 6031 § 7, 1993; Ord. 5803 § 6, 1990; Ord. 5551 § 4, 1987)

Section 16.32.076 Section 903 Amended--Automatic sprinkler systems.

Section 903 of the California Fire Code is hereby amended to read as follows:

Section 903(a) Where Required. An automatic fire extinguishing system shall be installed and maintained in operable condition in the buildings and locations as set forth in this section.

For special provisions on hazardous chemicals, magnesium and calcium carbide, see the Fire Code.

(b) All New Buildings. An automatic sprinkler system shall be installed and maintained in operable condition in all new buildings. All systems shall conform to the National Fire Protection Association Standards 13, 13D, and 13R and the Riverside Fire Department Standards and Policies.

EXCEPTIONS:

1. Buildings less than 1,000 square feet in floor area, other than Group R-1, Group R-2, and Group R-3 occupancies, unless specifically required by other provisions of the California Building Code.

2. Private garages and carports unless specifically required by N.F.P.A. 13D or 13R.

3. Building accessory to Group R3 occupancies other than additional R1, R-2, or R3 occupancies.

4. Group F and S occupancies, less than 5,000 square feet in floor area, that are accessory to uses such as golf courses, tree nurseries, parks, farms, etc. Administrative and clerical office use area may not exceed 25 percent of the floor area of the major use. Additionally, the site must be zoned RE, HR, RA, RA-2, RA-5 or RC.

5. Structures that have no occupant load as determined by the Building Official.

6. Swimming pools, spas, gazebos, shade structures or other open-air structures that meet California Building Code requirements for separation.

7. Structures which do not require building permits.

8. Mausoleums, crypts, and similar structures.

9. Agricultural buildings as defined in the California Building Code, Appendix C.

10. Structures and buildings designed exclusively to shelter or protect equipment such as pump hoses, substations, and similar structures.

11. Mobile homes and manufactured homes.

12. Temporary modular construction offices.

13. Group R occupancies for which a fire station development fee as set forth in Chapter 16.52 has been paid prior to March 1, 1993 or Group R occupancies situated within a community facilities district or an assessment district formed prior to March 1, 1993 when said district has agreed to pay for a proportionate share for construction of a fire station to serve the

area of the district.

(c) Existing Buildings. Buildings in existence prior to March 1, 1993 or buildings for Group R, Division 3 and Group U occupancies for which plans were submitted and plan check fees paid to the City prior to March 1, 1993 shall be exempt from the requirements of this section.

EXCEPTIONS:

1. Automatic fire sprinkler systems shall be installed and maintained in the entire building whenever additions are constructed that increase floor area by more than 5000 square feet or increase in floor area greater than 50% of the existing floor area, whichever is greater.

(d) Conflict. Where in any case, there are conflicting provisions between the California Building Code as adopted by the City and this section, the more restrictive shall govern.

(e) Standards. All automatic fire sprinkler systems required by this section shall comply with N.F.P.A. 13, 13D and 13R. (Ord. 6964 § 11, 2007; Ord. 6633 § 3, 2002; Ord. 6473 §4, 1999; Ord. 6262 § 12, 1996; Ord. 6031 §§ 10, 11, 1993)

Section 16.32.095 Section 3301 amended--Prohibited and limited acts.

Section 3301 of the California Fire Code are amended as follows:

Section 3301.2 MANUFACTURING. The manufacture of explosives shall be prohibited within all areas and zones of the City.

Section 3301.3 LIMITS ESTABLISHED BY LAW. The storage of explosives is prohibited within all areas and zones of the City.

EXCEPTIONS:

1. Smokeless gunpowder, small arms primers and black sporting powder may be stored as set forth in the California Fire Code.

2. Temporary storage for use in connection with approved blasting operations may be permitted.

3. Wholesale and retail stocks of small arms ammunition, explosive bolts and explosive rivets or cartridges for explosive-actuated power tools, when in quantities involving less than 500 pounds of explosive material, may be permitted. (Ord. 6964 § 14, 2007; Ord. 6262 § 16, 1996; Ord. 6031 § 15, 1993; Ord. 5803 § 11, 1990; Ord. 4854 § 12, 1980; Ord. 4589 § 1 (part), 1978; Ord. 4147 § 1 (part), 1974)

Section 16.32.100 Section 3308.2 amended--Prohibition.

3308.2 Prohibition. The manufacturing, possession, storage, sale, use and handling of fireworks is prohibited.

EXCEPTIONS:

1. Manufacturing of fireworks in accordance with Title 19 of the California Code of Regulations, when allowed by the Chief under special permits when not otherwise prohibited by applicable local or state laws, ordinances and regulations.

2. Storage of fireworks in accordance with the requirements for low explosives in Title 19 of the California Code of Regulations.

3. Storage of fireworks. 1.4G in accordance with the Building Code.

4. Sale of fireworks when allowed by the Chief under special permits when not otherwise prohibited by applicable local or state laws, ordinances and regulations.

5. Use and handling of fireworks for display in accordance with Title 19 of the California Code of Regulations. (Ord. 6964 § 15, 2007)

Section 16.32.140 Appendix Chapter 1 of the California Fire Code--Christmas Trees.

Appendix Chapter 1 of the California Fire Code--Christmas Trees, is amended to read as follows:

Section 105.1.1 PERMITS. A permit is required to operate any Christmas tree lot.

EXCEPTION: Nurseries and tree farms. (Ord. 6964 § 17, 2007; Ord. 6262 § 18, 1996)

Section 16.32.175 Hazardous materials clean up cost recovery.

A. The City is authorized to perform various functions that relate to identification, clean up and abatement of hazardous substances and wastes unlawfully released, discharged, or deposited upon or into any property or facility within the City and to perform certain protective activities such as evacuation. However, the authority to recover costs under this section shall not include fire extinguishment and medical aid services which are normally or usually provided by the Fire Department. The following described persons shall be jointly and severally liable to the City for the payment of all costs incurred by the City as a result of such identification, clean up and abatement activity.

1. The person or persons whose negligent or willful act or omission proximately caused such release, discharge or deposit; and

2. The person or persons who owned or had custody or control of the hazardous substance or waste at the time of such release, discharge, or deposit, without regard to fault or proximate cause; and

3. The person or persons who owned or had custody or control of the container which held such hazardous waste or substance at the time of or immediately prior to such release, discharge or deposit, without regard to fault or proximate cause.

B. In the event that any person undertakes, either voluntarily or upon order of the Fire Chief or other City official, to clean up or abate the effects of any hazardous substance or waste unlawfully released, discharged or deposited upon or into any property or facilities within the City, the Fire Chief may take such action as is necessary to supervise or verify the adequacy of the clean up or abatement. The persons described in subsection A shall be liable to the City for all costs incurred as a result of such supervision or verification.

C. For purposes of this section, "hazardous substance" and "hazardous waste" shall be as defined as in Section 2702 of the California Fire Code as that section may be amended.

D. For purposes of this section, costs incurred by the City shall include, but shall not necessarily be limited to, the following: actual labor costs of City personnel, including benefits and administrative overhead; cost of equipment operation, cost of materials obtained directly by the City; and cost of any contract labor and materials.

E. The remedies provided by this section shall be in addition to any other remedies provided by law. (Ord. 6964 § 18, 2007; Ord. 5910 § 3, 1991)